

The Rush County Council met in regular session on Wednesday, December 8, 2010 at 8:00 a.m. with Norman Winkler, Chairman, John Pavey, Gerald Mohr, Warren Norris, Bruce Levi, Kevin Spilman, Jerry Kent, Leigh Morning, Attorney, and Deborah Adams, Auditor in attendance.

Chairman, Norman Winkler called the meeting to order. Minutes of the November 17, 2010 meeting were approved on a motion by Bruce Levi, seconded by John Pavey. Motion carried.

Minutes of the special meeting of November 29, 2010 meeting were approved on a motion by John Pavey. Seconded by Warren Norris. Motion carried.

PUBLIC HEARING

Norman Winkler opened the public hearing at 8:00 a.m. for public comment. No public comment was received. Winkler asked for any questions. No questions were asked. Gerald Mohr made the motion to approve Resolution 2010-21 John Pavey seconded the motion. Motion carried. Kevin Spilman made the motion to close the hearing. Gerald Mohr seconded the motion. Motion carried.

COUNTY COUNCIL RESOLUTION 2010-21

AN ORDINANCE ESTABLISHING AN ECONOMIC REVITALIZATION AREA

WHEREAS, the Rush County Council has, pursuant to Ind.Code 6-1.1-12 established a program of real property tax abatement within an Economic Revitalization Area; and

WHEREAS, KLR Factoring, LLC d/b/a Fraley and Schilling, Inc. has submitted a request for tax abatement in the form of a Statement of Benefits for consideration by the Rush County Council; and

WHEREAS, the Area is located within the jurisdiction of the Council for the purposes set forth in IC 6-1.1-12.1-2; and

WHEREAS, the Applicant owns a trucking terminal facility on which construction has commenced, but has not been completed, as described in the Statement of Benefits (the "Statement of Benefits"), submitted by the Applicant to the Council (the "Project"); and

WHEREAS, the Project consists of the construction of new structures in the Area on unimproved real estate (the "Redevelopment"); and

WHEREAS, the Council has reviewed the Statement of Benefits and hereby finds that the Project as described in the Statement of Benefits will be of public utility and will be to the benefit and welfare of all citizens and taxpayers of the County.

NOW THEREFORE, BE IT RESOLVED by the Rush County Council as follows:

Section 1. The Council hereby finds that (i) the Area is within the County and (ii) the Area has become undesirable for, or impossible of, normal development and occupancy because of a lack of

development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values and prevented a normal development of property and use of property.

Section 2. Based on the information in the Statement of Benefits describing the Project, the Council makes the following findings:

- (a) The estimate of the value of the Redevelopment is reasonable for projects of that nature.
- (b) The estimate of the number of individuals who will be employed can be reasonably expected to result from the proposed Redevelopment.
- (c) The estimate of the annual salaries of those individuals who will be employed can be reasonably expected to result from the proposed Redevelopment.
- (d) The other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed Redevelopment.
- (e) The totality of benefits is sufficient to justify the granting of real property tax deductions to the Applicant pursuant to IC 6-1.1-12-3, subject to the limitations set forth in this Resolution.

Section 3. Based on the information in the Statement of Benefits and the foregoing findings, the Council, pursuant to IC 6-1.1-12.1-4.5, hereby approves and allows the Applicant real property tax deductions for the Redevelopment located in the Area for a period of ten (10) years.

Adopted this 8th day of December, 2010.

/s/ Norman L. Winkler

Norman L. Winkler

/s/ John Pavey

John Pavey

/s/ Gerald W. Mohr

Gerald W. Mohr

/s/ Warren L. Norris

Warren L. Norris

/s/ Bruce W. Levi

Bruce W. Levi

/s/ Kevin Spilman

Kevin Spilman

/s/ Jerry Kent

Jerry Kent

ATTEST: /s/ Deborah C. Adams

Deborah C. Adams

Rush County Auditor

AREA PLAN

Bill Todd, Area Plan Director, reported that he would be contributing \$2,000.00 from his court cost appropriation towards the purchasing of the E-911 addressing software from WTH.

Todd informed the council that his full-time secretary wants to take unused vacation during Christmas. Todd asked for permission to encumber the part-time wages for the person that would be working during this period. Deborah Adams informed the council that wages are not an item that is listed as allowed to be encumbered. Adams informed the council that due to removal of the part-time appropriation for the 2011 budget Todd was seeking the encumbrance. Adams did inform the council that she would seek guidance from the SBOA (State Board of Accounts). Jerry Kent made the motion to allow the encumbrance contingent upon approval by SBOA, Gerald Mohr seconded the motion. Motion carried.

John Pavey made the motion to approve a transfer of \$500.00 from 1-23-3-19 (Board Members) to 1-23-1-3 (Part-time), Gerald Mohr seconded the motion. Motion carried.

SURVEYOR

Marvin Rees, Surveyor, received approval of a \$180.00 transfer from 1-6-1-3 (Part-Time) into 1-6-2-1 (Office Supplies) on a motion from Gerald Mohr, seconded by Warren Norris. Motion carried.

Rees was also present regarding the additional appropriation of the Riverboat Revenue Sharing Fund #150 for the Wycoff-Gliddin-Goldman Drain and the Sam Young Drain that was discussed during the November meeting. Deborah Adams apologized and informed Rees and the Council that the additional appropriation failed to get advertised and would need to be addressed during the January meeting.

SHERIFF

Jeff Sherwood, Sheriff, reported forty-three (43) inmates incarcerated in the Rush County jail of which fourteen (14) are females and three (3) DOC.

Sherwood updated the council regarding the E-911 recorder for the Rushville City Police Department. Sherwood reported that Ron Jarman was able to negotiate the original \$17,450.00 quote down to \$11,000.00. Sherwood reported that he talked individually with councilmen Winkler, Pavey, and Spilman and the recorder has been ordered.

Sherwood reported that the 2011 fuel bids were opened and accepted during the December 7, 2010 Commissioners meeting.

Sherwood reported of the Merit Board meeting with Investor Chris Callaway of Morgan Stanley regarding the police retirement plan. Sherwood reported that investments are currently up by 6.17% for the year.

Sherwood shared the annual jail inspection letter and their addressed concerns. Sherwood stressed in no way was he pushing for a new jail or for a renovation.

Sherwood asked for a transfer in the Firearms Training Fund (#24) to replace shotgun targets. Kevin Spilman made the motion to allow the transfer from 24-1000-3-1 (training) into 24-1000-2-1 (supplies). Jerry Kent seconded the motion. Motion carried.

Sherwood reported that the Sheriff Department reserve deputies do fall as a *Rostered Volunteer* and are already listed with Schroeder Insurance. It was discussed that CERT should also fall within the same *Rostered Volunteer* coverage.

E-911

Jeff Sherwood, Sheriff and E-911 Director, received authorization of a \$7,000.00 transfer. John Pavey made the motion to transfer the funds from 163-1000-3-11 (maintenance) into 163-1000-4-1 (equipment). Jerry Kent seconded the motion. Motion carried.

Commissioner Tom Barnes reported that he along with Sherwood had recently attended the E-911 conference held in Indianapolis.

RECORDER

Sally Niedenthall, Recorder, approached the council seeking to fund her part-time employee from the perpetual fund as the council removed the funding from the recorders budget for the 2011 year. Niedenthall reported that the fund has a good balance and would need approximately \$10,000.00 for the part-time employee in addition to book supplies. Deborah Adams informed Niedenthall that this could be address through and additional appropriation. After further discussion the council instructed Niendenthall to proceed with the additional appropriation but to keep an eye on the fund balance for future years funding.

Niedenthall did inform the council that she was also looking at a new computer system. Niedenthall noted that current computer system has been bought out and the service is no longer the same.

HEALTH

Health Officer Dr. Davis Ellis, along with Health Department Secretary Teri Nigh appeared before the council requesting to have Health Secretary Teri Nigh pay appropriation removed from the Health Maintenance Tobacco Fund #107 and instead funded from the Health Fund #8. Dr. Ellis shared his disappointment of Nigh not receiving what he considered a salary bonus to be funded from the Tobacco Fund. The council reminded Dr. Ellis that no county employee was given any pay increases for the 2011 calendar year. Deborah Adams reported that the pay increase was discovered while preparing their budget salary form 144. The council made the correction in the recently approved salary ordinance reducing Nigh's Health Secretary salary by the increase of that she would receive from the Health Maintenance Tobacco fund.

The council discussed with Dr. Ellis and Nigh when looking at their state approved budget the Health Department would end the 2011 year with only a \$700.00 operating balance. Adams noted that the levy once raised by the Cum Hospital will now automatically reverted

back to the general fund unless the council gives specific instructions to assign it to another fund.

Dr. Ellis informed the council that there are no plans to fill the full-time sanitation position budgeted for 2011. Dr. Ellis noted that the Health Board would rather keep the funds in the Health Maintenance Tobacco Fund and have Terri now totally funded from the Health fund.

After further discussion the council Jerry Kent made the motion to amend the Salary Ordinance to reflect Nigh's salary to be paid completely from the Health fund. Bruce Levi seconded the motion. Motion carried.

AMENDED 2011 SALARY ORDINANCE # 2010-2

An ordinance fixing the salaries and wages for the officials and employees for various departments of the County of Rush, Indiana for the calendar year 2011, according to IC 36-2-5-3.

BE IT ORDAINED BY THE COUNCIL OF RUSH COUNTY, INDIANA:

SECTION 1

The salaries and wages of the officials and employees for the various departments of the County of Rush, Indiana, for the year 2011, shall be as follows:

90% salary for 90 days of full time employment. After 90 days, employee receives 100% pay. Part-time employees moving to full time will be credited for hours of time worked against average number of hours to be worked full time in the 90 day period for

All part-time rates **up to** the stated hourly rate.

SECTION 2

This ordinance hereby amends the previous ordinance by the inclusion of personnel. The addition/change of personnel, salary and benefits are as follows:

DESCRIPTION	SALARY	HOURS WORKED	BI-WEEKLY RATE	HOURLY RATE
FUND 1 COUNTY GENERAL				
Department 1 - Clerk				
Clerk	\$35,152.00	n/a	\$1,352.00	
Deputy Clerk (8 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Part time Not Allowed				\$0.00
Department 2- Auditor				
Auditor	\$35,152.00	n/a	\$1,352.00	
Deputy Auditor (4 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Part time Not Allowed				\$0.00
Department 3 - Treasurer				
Treasurer	\$35,152.00	n/a	\$1,352.00	
Deputy Treasurer (2 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Part time	\$1,150.00			\$10.50

Department 4 - Recorder				
Recorder	\$35,152.00	n/a	\$1,352.00	
Deputy Recorder	\$26,572.00	64	\$1,022.00	\$15.97
Part time Not Allowed				\$0.00
DESCRIPTION	SALARY	HOURS WORKED	BI-WEEKLY RATE	HOURLY RATE
Department 5 - Sheriff				
*Sheriff Contract	\$62,800.00	n/a	\$2,415.00	
Chief Deputy-Duane Raab	\$45,968.00	86	\$1,768.00	\$20.56
Deputy	\$33,462.00	86	\$1,287.00	\$14.97
Deputy - Hedrick	\$33,462.00	86	\$1,287.00	\$14.97
Deputy - Chandler	\$41,080.00	86	\$1,580.00	\$18.37
Deputy - Sliger	\$41,158.00	86	\$1,583.00	\$18.41
Sgt/Detective - Gosser	\$42,380.00	86	\$1,630.00	\$18.95
*Deputy - Houston	\$39,364.00	86	\$1,514.00	\$17.60
*Sergeant - Drake	\$39,078.00	86	\$1,503.00	\$17.48
*Deputy - Brinson	\$37,258.00	86	\$1,433.00	\$16.66
*Deputy - Keith	\$37,076.00	86	\$1,426.00	\$16.58
*No longevity pay				
Department 6 - Surveyor				
Surveyor	\$35,152.00	n/a	\$1,352.00	
Deputy Surveyor	\$26,572.00	64	\$1,022.00	\$15.97
Part time Not Allowed				\$0.00
Department 7 - Coroner				
Coroner	\$8,476.00	n/a	\$326.00	
Deputy Corner	\$2,444.00		\$94.00	
Department 8 - Prosecutor				
Chief Deputy Prosecutor	\$11,154.00	n/a	\$429.00	
Paralegal	\$26,572.00	64	\$1,022.00	\$15.97
Secretary	\$26,572.00	64	\$1,022.00	\$15.97
Department 9 - Prosecutor IV-D				
Deputy Prosecutor - See Fund 111	\$0.00	n/a	\$0.00	
Administrator (2 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Department 10 - County Assessor				
County Assessor	\$35,152.00	n/a	\$1,352.00	
Deputy Assessor	\$26,572.00	64	\$1,022.00	\$15.97
Part time				\$10.50
Department 12 - County Extension				
Secretary (2 each @)	\$26,572.00	64	\$1,022.00	\$15.97
Ag Program Assistant	\$23,296.00	n/a	\$896.00	
Part time Summer Assistant	\$0.00			
Department 14 - Jail				
Chief Corrections Officer	\$34,008.00	80	\$1,308.00	\$16.35
Sergeant Corrections Officer	\$31,928.00	80	\$1,228.00	\$15.35

Corp. Corrections Officer	\$30,186.00	80	\$1,161.00	\$14.51
Corrections Officers (4 each @)	\$28,964.00	80	\$1,114.00	\$13.92
Dispatcher	\$28,964.00	80	\$1,114.00	\$13.92
Secretary	\$32,630.00	80	\$1,255.00	\$15.69
Matron	\$36,478.00	80	\$1,403.00	\$17.54
Part time				\$10.50
DESCRIPTION	SALARY	HOURS WORKED	BI-WEEKLY RATE	HOURLY RATE
Department 16 - Election				
Election Clerk	\$800.00			
Election Board (3)	\$2,300.00			
Department 17 - Circuit Court				
Court Reporter	\$26,572.00	64	\$1,022.00	\$15.97
Chief Probation Officer	\$58,838.00	n/a	\$2,263.00	
Pt Probation Officer	\$29,636.00	42		\$23.94
Administrator	\$26,572.00	64	\$1,022.00	\$15.97
Department 18 - Superior Court				
Court Reporter	\$26,572.00	64	\$1,022.00	\$15.97
Administrator	\$26,572.00	64	\$1,022.00	\$15.97
Department 19 - Commissioners				
Commissioners (3 each @)	\$20,202.00	n/a	\$777.00	
Council Chairman	\$5,460.00	n/a	\$210.00	
Councilmen (6 each @)	\$5,122.00	n/a	\$197.00	
Board of Review (2 each @)	\$1,068.00			\$10.50
Department 21 - Drainage Board				
Member (3 each @)	\$2,782.00	n/a	\$107.00	
extra member	\$110.00	per year		
Department 22 - Veterans Services				
Veterans Service Officer	\$3,068.00	semi annual	\$1,534.00	
Department 23 - Area Plan Commission				
Executive Director	\$35,152.00	n/a	\$1,352.00	
Secretary	\$26,572.00	64	\$1,022.00	\$15.97
Part time Not Allowed				\$0.00
Department 24 - Public Defender				
Public Defender-Chief Public Defender	\$92,680.00	n/a	\$3,564.62	
Public Defender-Deputy	\$18,278.00	n/a	\$703.00	
Secretary	\$26,572.00	64	\$1,022.00	\$15.97
Legal Asst/Investigator	\$26,572.00	64	\$1,022.00	\$15.97
Department 25 - Soil/Water				
Office Manager	\$26,572.00	64	\$1,022.00	\$15.97
Part time Educator		49		\$10.50

Department 27 - GIS				
GIS Technician	\$13,286.00	32	\$511.00	\$15.97
Part time Not Allowed				\$0.00
Department 29 - EMA				
EMA Director	\$12,324.00	n/a	\$474.00	
Department 30 - I-T				
I-T Technican	\$0.00	0	\$0.00	\$0.00
DESCRIPTION	SALARY	HOURS WORKED	BI-WEEKLY RATE	HOURLY RATE
FUND 2 HIGHWAY				
Department 201 - Highway Administration				
Superintendent	\$42,926.00	n/a	\$1,651.00	
Assistant Superintendent	\$38,740.00	80	\$1,490.00	\$18.63
Clerical	\$31,616.00	80	\$1,216.00	\$15.20
Department 202 - Highway Maintenance				
Drivers, Operators, Laborers				\$15.20
Mechanic				\$16.70
Summer Help				\$10.50
FUND 8 HEALTH				
Department - Health				
Health Officer	\$17,706.00	n/a	\$681.00	
Clerical	\$26,572.00	64	\$1,022.00	\$15.97
Nurse Supervisor	\$39,754.00	64	\$1,529.00	\$23.89
Staff Nurse	\$38,324.00	64	\$1,474.00	\$23.03
Environmental Health/Sanitarian	\$31,018.00	64	\$1,193.00	\$18.64
Part time				\$10.50
Health Board - Elected Official	\$540.00	per mtg	\$45.00	
Part time Assistant Sanitarian 2nd-4th Qtrs 2011				\$10.50
FUND 19 CUM CAPITAL DEVELOPMENT				
Department - Cum Capital				
GIS Technician	\$13,286.00	32	\$511.00	\$15.97
IT Technician	\$46,306.00	64	\$1,781.00	\$27.82
FUND 26 JUVENILE PROBATION USER FEES				
Chief Probation Officer	\$0.00		\$0.00	
Assistant Probation Officer	\$0.00			\$0.00
FUND 27 ADULT PROBATION USER FEES				
Department - Adult Probation				
Probation Assistant	\$26,572.00	64	\$1,022.00	\$15.97
FUND 35 PRE TRIAL DIVERSION				
Department - Pre Trial Diversion				
Part Time				\$10.50
FUND 44 WORK RELEASE				
Department - Work Release				
Part time				\$10.50

FUND 99 REASSESSMENT				
Department - Reassessment				
Full Time Deputy Not Allowed	\$0.00		\$0.00	\$0.00
Part time				\$10.50
FUND 104 CLERK PERPETUATION				
Department - Clerk - Perpetuation				
Part time				\$10.50
FUND 107 HEALTH MAINT TOBACCO				
Department - Health				
Aide Salaries				\$10.50
Pt Sanitarian - 1st Qtr 2011 Only	\$6,720.00			\$20.00
FUND 111 IV-D COUNTY				
Department - IV-D County				
Deputy Prsecutor	\$23,660.00	n/a	\$910.00	
FUND 160 INFRACTION DEFERRAL				
Department - Infraction Deferral				
Part time				\$10.50
DESCRIPTION	SALARY	HOURS WORKED	BI-WEEKLY RATE	HOURLY RATE
FUND 163 - E911				
Department - E911 Dispatchers				
Chief Dispatcher	\$34,008.00	80	\$1,308.00	\$16.35
Sergeant Dispatcher	\$31,044.00	80	\$1,194.00	\$14.93
Sergeant Dispatcher	\$31,044.00	80	\$1,194.00	\$14.93
Dispatcher		80	\$1,114.00	\$13.92
Part time				\$10.50
FUND 167 PUBLIC DEFENDER - Supplemental				
Department - Public Defender - Supplemental				
Public Defender	\$0.00	n/a	\$0.00	
FUND 200 WIRELESS E911				
Department - Wireless E911 Dispatchers				
Dispatcher	\$28,964.00	80	\$1,114.00	\$13.92

DULY ADOPTED THIS 8th DAY OF December, **2010**.

AYE

NAY

/s/Norman L. Winkler

/s/John Pavey

/s/Gerald Mohr

/s/Warren Norris

/s/Bruce Levi

/s/Kevin Spilman

/s/Jerry Kent

ATTEST:

/s/Deborah C. Adams

DEBORAH C. ADAMS, AUDITOR

REASSESSMENT

JoAnn Herbert, Assessor, appeared before the council at their request. The council thanked Herbert for her past 30 plus years of outstanding work for the county. The council recognized that she had a tough job and dedication and knowledge she did it well, noting that they and the county will miss her.

Gerald Mohr made the motion to approve a transfer from 99-1000-3-4 (contractual) into 99-1000-1-3 (social security). John Pavey seconded the motion. Motion carried.

John Pavey made the motion to approve a transfer from 99-1000-3-4 (contractual) into 99-1000-1-2 (extra help). Gerald Mohr seconded the motion. Motion carried.

COMMISSIONER

Tom Barnes, Commissioner, invited the council to attend a special commissioner meeting concerning the Park Restaurant. The meeting is scheduled to be held in the assembly room on December 28, 2010 and will begin at 5:30pm. Barnes stated "We owe it to the individuals to listen to their concerns"

COURTHOUSE

Tom Barnes, Commissioner, spoke on the pigeon issues that are plaguing the courthouse. Solutions were discussed. Barnes informed the council that something will be done over the next three to four weeks and paid in 2011.

SOLID WASTE

Carole Yeend, Solid Waste Director, reported that the Rush County Regional Solid Waste District is solvent and does not anticipate the need of financial assistance for 2011. Yeend reported that the \$20,000.00 loan will be repaid upon receiving the county fall tax distribution.

APPOINTMENTS

EMA BOARD – Kevin Spilman volunteered to sit on the EMA Board

AUDITOR

Deborah Adams, Auditor, received authorization to make year end emergency transfers on a motion by Gerald Mohr, seconded by Warren Norris. Motion carried.

Discussion was held regarding the non allowance of additional appropriations for 2011 without prior council approval. Jerry Kent asked Adams to prepare a memo to be sent to all departments of this change.

Motion to adjourn was initiated by Jerry Kent. John Pavey seconded the motion, motion carried.

<u>/s/Norman L. Winkler</u>	<u>/s/John Pavey</u>	<u>Gerald Mohr</u>
Norman Winkler, Chairman	John Pavey	Gerald Mohr

<u>/s/Warren Norris</u>	<u>/s/Bruce W. Levi</u>	<u>/s/Kevin Spilman</u>
Warren Norris	Bruce Levi	Kevin Spilman

<u>/s/Jerry Kent</u>
Jerry Kent

ATTEST:

<u>/s/Deborah C. Adams</u>
Deborah C. Adams, Auditor